APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,400	10/05/2001	Jay Paul Drummond	D-1077+14 DIV	5065

28995   7590   09/15/2003

RALPH E. JOCKE
231 SOUTH BROADWAY
MEDINA, OH 44256

EXAMINER
KANOF, PEDRO R

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 June 2003_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Response of the Appeal

1.   In view of the Appeal filed on 6/10/09, PROSECUTION IS HEREBY

REOPENED.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied

by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130,

1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Vak et al. (U.S. Patent No. 5,473,143).

Claim 1:   Vak discloses a method of printing a document with a transaction machine, comprising the step of:

(a) conducting at least one transaction with the machine (Col. 13, line 32-col. 14, line 56);

(b) storing transaction data corresponding to the transaction in a memory in operative connection with a computer, wherein the computer is operatively connected with the machine (Col. 17, lines 31-42, and col. 19, lines 30-39);

© accessing a first markup language document with a browser operating in the computer, wherein the first markup language document includes at least one print instruction (Col. 21, lines 16-30, col. 18, lines 20-54, and col. 5, lines 60-67);

(d) printing indicia corresponding to the transaction data in the memory with a printer in the machine responsive to the print instruction included in the first document (Col. 10, lines 22-41).

Claim 2:   Vak discloses wherein the first markup language document include instructions therein corresponding to a format, and wherein the indicia is printed in accordance with the format (Col. 5, lines 60-67 and Col. 21, lines 16-30).

Claim 3:   Vak discloses inputting customer identifying information to the machine, wherein data corresponding to the customer identifying information is

included in the transaction data stored in the storing step ("acquires the user's

identity and the user's security information..."-col. 5, lines 16-45, Col. 11, line 61-

col. 12, line 7, and Col.14, line 1-col. 15, line 19).

Claim 4: Vak discloses the inputting step incudes inputting a card into a

card reader on the machine, wherein the customer identifying information

corresponds to indicia read by the card reader form the card (Col. 3, lines 50-54,

-"...insertion of the card 48..."-col. 5, lines 16-45, col. 9, line 61-col. 10, line 22,

col. 12, lines 8-49, and col. 17, lines 22-42).

Claim 5: VaK discloses wherein the transaction conducted in step (s)

includes the dispense of at least one sheet from a sheet dispenser in the

machine (Col. 18, lines 20-54).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

4.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Vak et al. (U.S. Patent No. 5,473,143) in view of Tsakanikas   (U.S.

5,570,465).

Claim 13:   Vak discloses the method of claim 1. Vak does not explicitly

disclose wherein in the printing step of claim 1 the printer is operative to print a

wagering slip. Tsakanikas discloses such as a step (Col. 15, line 65-col. 16, line 25). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to print a wagering slip in the Vak invention. One would have been motivated to including this step in order to extend the number of services to the customers and increase the business turnover.

6.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vak et al. (U.S. Patent No. 5,473,143) in view of Minematsu et al. (U.S. 4,864,109).

Claim 6:   Vak discloses an automated banking machine comprising:

a computer in operative connection with a memory (Col. 3, lines 18-23 and Col. 4, lines 7-34);

a printer in operative connection with the computer (Col. 10, lines 30-40).

Vak. also discloses: "...the present invention presents the user with a new option in addition to the previously provided by the ATM/POS system..." (Col. 16, lines 10-12) (emphasis added), and the International Dictionary of Banking and Finance (John Clark, Glenlake Publishing Co., Ltd., AMOCOM, page 28, 1999) teaches an "Automatic (or automated) telling machine (ATM)" as a "Computer-linked machine, usually mounted on the wall of bank or other financial institution, which dispenses cash, statements and balances on production of a card and the provision of the correct personal identification number." (emphasis added).

However, Vak does not explicitly disclose a cash dispenser in operative connection with the computer. Minematsu discloses such as a step (Col. 3, lines

31-40, and col. 2, lines 11-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a cash dispenser in the Vak invention. One would have been motivated to including this feature in order to extend the number of services to the customers and to reduce the financial institution cost.

Vak also discloses software executable in the computer, wherein the software is operative (Col. 15, line 58-col. 16, line 6), to cause the computer to store transaction data corresponding to a transaction in the memory (Col. 12, line 23-25). However Vak does not explicitly disclose that the transaction is a cash dispenser transaction. Minematsu explicitly discloses software executable in the computer, wherein the software is operative (Col. 4, lines 64-68, col. 5, lines 1-13, col. 6, lines 64-68, col. 15, line 24-col. 16, line 24), to cause the computer to store transaction data corresponding to a transaction involving the cash dispenser in the memory (Col. 2, lines 42-49, col. 9, line 45-col. 10, line 1, and col. 10, lines 37-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to store transaction data corresponding to a cash dispenser transaction in the Vak invention. One would have been motivated to including this feature in order to save and produce receipt of the cash dispenser transactions.

Vak also discloses to cause the computer to access at least one markup language document, wherein the at least one markup language document includes at least one print instruction (Col. 21, lines 16-30, col. 18, lines 20-54, and col. 5, lines 60-67); and to cause the printer to print at least one item which

includes indicia representative of at least one portion of the transaction data responsive to the print instruction and the transaction data stored in the memory (Col. 10, lines 22-41).

Furthermore, Minematsu also discloses software (Col. 4, lines 64-68, col. 5, lines 1-13, col. 6, lines 64-68, and col. 15, line 24-col. 16, line 24) to print at least one item which includes indicia representative of at least one portion of the transaction data responsive to the print instruction and the transaction data stored in the memory (Col. 1, lines 29-41, Col. 2, lines 41-51, col. 4, lines 35-37, col. 8, lines 43-51, col. 9, lines 21-41, col. 9, line 49-col. 10, line 65, col. 13, line 50-col. 14, line 2, col. 14, lines 17-29, and col. 15, line 24-col. 16, line 24).

7.   Claims 8-11, 14-16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Vak et al.</u> (U.S. Patent No. 5,473,143) in view of <u>Wagner</u> (U.S. Patent No. 5,742,845).

Claim 8:   Vak discloses the method of claim 1. However, Vak does not explicitly discloses the steps of providing a plurality of markup language documents accessible through a server, documents including the first document, and a second document wherein the second document includes at least one second print instruction; accessing the second markup language document with the browser; printing indicia corresponding to the transaction data in memory with the printer in the machine responsive to the second print instruction included int the second document. Wagner discloses the steps of providing a plurality of markup language documents accessible through a server, documents

including the first document, and a second document wherein the second document includes at least one second print instruction (column 10, line 52-column 11, line 54); accessing the second markup language document with the browser (column 11, lines 5-23); printing indicia corresponding to the transaction data in memory with the printer in the machine responsive to the second print instruction included int the second document (column 19, lines 19-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include these steps. One would have been motivated to include theses steps in order to be able to use a network such as Internet and to provide the clients with receipts of their transactions.

Claim 9: Vak and Wagner disclose the method of claim 8. Wagner also discloses the first document includes indicia in a first language and the second document includes in a second language, and wherein a printed item including transaction indicia is produced in a first language and a printed item is produced including transaction indicia in a second language (column 12, lines 5-39). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that step. One would have been motivated to include that step in order to be able to use a network with computers with different languages in its input/output devices.

Claim 10: Vak discloses the method of claim 1. However, Vak does not explicitly discloses wherein the first document includes indicia representative of machine readable indicia, wherein in step of printing a printed item is produced including machine readable indicia. Wagner discloses such steps (Col. 19,

lines 19-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to be able produce for the client a receipt for the transaction.

Claim 11: Vak discloses the method of claim 1. However, Vak does not explicitly discloses wherein the printer is operative to print a transaction receipt. Wagner discloses the printer is operative to print a transaction receipt (column 19, lines 19-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that step. One would have been motivated to include such as a step in order to be able produce for the client a prove of the transaction.

Claim 14: Vak discloses an automated banking machine including:

a plurality of transaction (Col. 13, line 32-col. 14, line 56) function devices (Col. 10, lines 22-30), the transaction function devices including a printer and an input device (col. 10, lines 30-40);

a computer in operative connection with the transaction function devices (Col. 9, line 28-col. 10, line 57) and a memory (Col. 17, lines 31-42, and col. 19, lines 30-39), wherein the computer includes software executable therein (Col. 15, line 58-col. 16, line 6), wherein the software includes a browser (Col. 21, lines 16-30, col. 18, lines 20-54, and col. 5, lines 60-67).

However, Vak does not explicitly discloses wherein the software is operative to cause the computer to store in the memory transaction data representative of at least on input to an input device, and wherein the software is

operative to cause the browser to access a markup language document inducing at least on print instruction and to operate the printer to print an item responsive to the print instruction and the transaction data. Wagner discloses such steps (col. 10, line 52-col. 11, line 54, col. 11, lines 5-23, col. 19, lines 19-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to be able to use a network such as Internet and to provide the clients with receipts of their transactions.

Claims 15 and 16: These claims contain similar limitations discussed above in claims 14, and 9, therefore, are rejected by the same rationale.

Claims 18 and 19: These claims contain similar limitations discussed above in in claims 14, and 13, therefore, are rejected by the same rationale.

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8.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vak et al. (U.S. Patent No. 5,473,143) in view of Akel et al. (U.S. 5,457,305).

Claim 12: Vak discloses the method of claim 1. However, Vak does not explicitly discloses wherein in the printing step of claim 1 the printer is operative to print a check. Akel discloses printing a check (Col. 10, lines 7-10). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that step. One would have been motivated to include such as a step in order to be able produce for the client a proof of the transaction.

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9.   Claims 7, 17, 20-23, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vak et al. (U.S. Patent No. 5,473,143) in view of Wagner (U.S. Patent No. 5,742,845), and further view of Minematsu et al. (U.S. 4,864,109).

Claim 7:   Vak and Minematsu disclose an automated banking machine according to claim 6.   However, the references do not explicitly disclose wherein at least one markup language document does not include the at least one portion of the transaction data. Wagner discloses such features (column 14, lines 25-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include those features in the Vak-Minematsu invention. One would have been motivated to including those features in order to increase the flexibility of the system.

Claim 17:   These claims contain similar limitations discussed above in 14, and 12 discussed above, therefore is rejected by the same rationale.

Claim 20:   Vak and Wagner disclose the machine of claim 14. However, the references do not explicitly disclose wherein the transaction function devices include a cash dispenser, wherein the software is further operative to cause the cash dispenser to dispense an amount of cash.   Minematsu discloses such as a step (Col. 3, lines 31-40, and col. 2, lines 11-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a cash dispenser in the Vak invention. One would have been motivated to including this feature in order to extend the number of services to the customers and to reduce the financial institution cost.

Claims 21-23: These claims contain similar limitations discussed above in claims 1, 8, 12, and 13, therefore are rejected by the same rationale.

Claims 25 and 26: These claims contain similar limitations discussed above in claims I, 7, and 20 as discussed above, therefore are rejected by the same rationale.

9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vak et al. (U.S. Patent No. 5,473,143) in view of Minematsu et al. (U.S. 4,864,109), and further view of Wagner (U.S. Patent No. 5,742,845) and further view of

Claim 24 contain similar limitations discussed above in claims I, 8, 12, 13, and 21 as discussed above, therefore are rejected by the same rationale.

Response to Arguments

10. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro R. Kanof, whose telephone
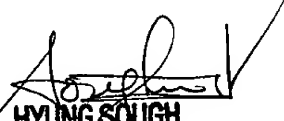
number is (703)308-9552. The examiner can normally be reached on weekdays from 8:00 AM-5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on (703)308-0505.

12.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-1113.

Any response to this action should be mail to: Commissioner of Patents and Trademarks c/o Technology Center 3600, Washington, D.C. 20231, or faxed to:

(703) 305-7687, (for formal communications intended for entry) or: (703) 308-3961 (for informal or draft communications, please label "PROPOSED" or "DRAFT"). Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

PRK-9/4/03.

HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600